

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:

MICHAEL PAUL CORDO

Debtor(s).



Order Filed on January 26, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 18-25082 MBK

Chapter: 13

Hearing Date: January 27, 2021

Judge: Honorable Michael B.
Kaplan, Chief Judge

Recommended Local Form: ☒ Followed ☐ Modified

ORDER RESOLVING MOTION TO VACATE STAY
AND/OR MOTION TO DISMISS
WITH CONDITIONS

The relief set forth on the following page(s) is hereby **ORDERED**.

DATED: January 26, 2021

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".
Honorable Michael B. Kaplan
United States Bankruptcy Judge

Applicant:	<u>PNC BANK, NATIONAL ASSOCIATION</u>
Applicant's Counsel:	<u>Fein, Such, Kahn & Shepard, P.C.</u>
Debtor's Counsel:	<u>WILLIAM H. OLIVER, JR.</u>
Property Involved (Collateral")	<u>441 LAKE BARNEGAT DRIVE FORKED RIVER, NJ 08731</u>

Relief sought: ☒ Motion for relief from the automatic stay

☐ Motion to dismiss

☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor is overdue for 26 months, from December December 3, 2018 to January 3, 2021.
- ☒ The Debtor is overdue for 26 payments at \$281.01 per month.
- ☐ The Debtor is assessed for N/A late charges at N/A per month.
- ☐ Applicant acknowledges receipt of funds in the amount of N/A received after the motion was filed.

Total Arrearages Due \$7,306.26.

2. Debtor must cure all post-petition arrearages, as follows:

- ☐ Immediate payment shall be made in the amount of \$N/A. Payment shall be made no later than N/A.
- ☒ Beginning on February 3, 2021, regular monthly mortgage payments shall continue to be made in the amount of \$281.01.
- ☐ Beginning on N/A, additional monthly cure payments shall be made in the amount of \$N/A for N/A months.
- ☒ The amount of \$7,306.26 shall be capitalized in the Debtor's Chapter 13 plan. The Debtor's plan shall be modified within 14 days of this Order. Amended Schedules shall be filed within 14 days, if needed.

3. Payments to the Secured Creditor shall be made to the following address(es):

☐ Immediate payment:

☒ Regular monthly payment: PNC Bank, National Association
P.O. Box 94982
Cleveland, OH 4410

☐ Monthly cure payment:

4. In the event of Default:

☒ If the Debtor fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☐ The Applicant is awarded attorneys fees of \$N/A, and costs of \$N/A.

The fees and costs are payable:

☐ through the Chapter 13 plan.

☐ to the Secured Creditor within _____ days.

☒ Attorneys' fees are not awarded.